(4) selective modernisation programme has been adopted for result-oriented gains; for best utilisation of limited resources;

(5) cost control methods have been introduced for reduction in cost of production at all levels;

(6) efforts are being made for reducing the non-operational administrative expenses;

(7) workers' participation scheme in the management scheme is being encouraged to achieve higher productivity.

Raids to detect tax-evaded income

1054. SHRIMATI KANAK MUKHERJEE: Will the Minister of FINANCE be pleased to state:

(a) what is the number of tax raids conducted by Government in 1985 (upto September) in search for tax-evaded income;

(b) what is the total amount of tax-evaded income unearthed in cash and kind;

(c) the manner in which the seized concealed income has been disbursed;

(d) what are the particulars of persons belonging to the 20 largest MRTP houses whose houses and offices were raided during this period; and

(e) what is the amount of concealed income in cash and kind seized from these houses and offices of each person referred to in part (d) above?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI JANARDHAN POOJARI): (a) to (c) The Income Tax Department conducted 5420 searches during the period 1-1-1985 to 30-9-1985 and seized prima facie unexplained assets worth Rs. 2910.78 lakhs. The seized assets consist of cash, jewellery, shares, FDRs, N.S.Cs. etc.

(d) and (e) No searches were conducted by the Income Tax Department during the above mentioned period in the cases of persons belonging to the 20 largest MRTP houses ranked according to their assets for the period ending in the year 1983.

Bargaining agent by Secret Ballot

1055. SHRI NIRMAL CHATTERJEE: Will the Minister of LABOUR be pleased to state:

(a) whether Government have any plans to decide the collective bargaining agent through plant level election by secret ballot;

(b) if so, the details of the same;

(c) whether Government have any alternative proposals to determine the said agent; and

(d) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI T. ANJAIAH): (a) to (d) The Sanat Mehta Committee set up by National Labour Conference has made certain recommendations in regard to the selection of collective bargaining agent. The relevant extracts from the report of the Sanat Mehta Committee is given in the statement. Final decision on these recommendations has not yet been taken.

Statement

COLLECTIVE BARGAINING AGENT

Statutory provision may be made for having a collective bargaining agent at the unit/industry level and the question as to who would be the agent would be decided by the check-off system. The check-off system would operate on the basis of a written authorisation which would be valid for a period of three years given by every employee to

his employer under intimation to the union concerned. The trade unions have to abide by a new Code of Conduct for being eligible to compete for check-off and recognition as a collecive bragaining agent and no craft|category-wise union would be eligible to benefit of check-off or recognition. There would be a sole collective bargaining agent, wherever feasible; failing which a composite bragaining council with proportional representation subject to a mnimum membership. The percentage of membership for qualification as sole agent or for inclusion in the council would be laid down by the IRCs keeping in view the conditions of the industry, the area of operation including the extent of unionisation in that undertaking/industry. The recognition once granted would be valid for an intial period of three years and this status will continue ti'l it is successfully challenged by others or when the recognised union violates the code of conduct. The disqualification arising out of violation of the code would operate for a specified period.

2. The above reommendations can be given effect to by having a new chapter in the Industrial Relations Act on Collective Bargaining Agent'. The criteria for selection as a sole bargaining agent or as a member of the collective bargaining council has to be on such lines as indicated below:

(i) Where there is only one eligible registered union in a unit/industry it shall be certified as the sole bargaining agent, provided it has a minimum percentage of membership as the IRC may prescribe.

(ii) Where there are more than one registered union in a unit|industry, the union with the maximum support, which shall not be less than 40 per cent for a unit-wise union or 25 per cent for an industry-wise union shall be certified as the sole bargaining agent.

(iii) Where the conditions stipulated in (i) and (ii) above are not satisfied the registered trade unions in the unit|industry, with a minimum membership as decided by the IRC depending on the extent of unionisation in the unit/industry, may constitute a composite bargaining council for the unit|industry, chosen from among the eligible registered trade unions in the unit|industry.

(iv) The Trade Unions certified as collective bargaining agent or as members of the collective bargaining council may give a written undertaking to abide by the prescribed Code of Conduct as a precondition for being considered for certification and for continued functioning as the agent/member of the Council.

Method of Determining the Representative Character of Trade Unions

3. The verification of membership of every registered trade union/industry would be carried out by the Certificating Wing of the IRC and for this purpose the IRC will rely on the check-off particulars available with the employer. Initially for a period of six months from a specified date every registered trade union in the Unit|industry would have the facility of check-off. After the results of verification are known only the recognised union|unions will continue to have that facility. Every union/unions certified as collective bargaining agent|member of the collective Bargaining Council will continue to have the status till it is successfully challenged, after an initial period of three years.